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07/542149

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUATION APPLICATION UNDER 37 CFR 1.60

Prior application: Serial No. 07/311,612  
For: Pertussis Toxin Gene: Cloning and Expression of Protective Antigen  
Filed: February 15, 1989  
Applicant: Keith, J.  
Prior Examiner: Low, C.                      Art Unit: 184

Hon. Commissioner of Patents & Trademarks,  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR 1.60 of the prior application Serial No. 07/311,612 filed on February 15, 1989 by Jerry M. Keith, entitled: Pertussis Toxin Gene: Cloning and Expression of Protective Antigen.

The prior application is assigned of record to: THE GOVERNMENT OF THE UNITED STATES OF AMERICA as represented by the Secretary of the Department of Health and Human Services.

Filing fees, as calculated on the basis of claims existing in the prior application, is: \$370.00 (three hundred and seventy dollars) for 4 (four) claims, including 3 (three) independent claims. There are no excess claims.

Please charge the deposit account of the Patent Branch, OGC/DHHS Account No. 14-1052 in the amount of \$370.00 (three hundred seventy dollars). The commissioner is hereby authorized to charge payment of any additional filing or processing fees under 37 CFR 1.16 or 1.17 to same Account No. 14-1052.

Please amend the specification as follows:  
On page 1, delete lines 3-4, and insert therefore

--This is a continuation of application serial number 07/311,612 filed February 15, 1989, which is a continuation in part of application serial number 06/843,727 filed March 25, 1986, now U.S. Patent No. 4,883,761.--.

Enclosures:                      A copy of the prior application's specification, claims, and 5 sheets of drawings as originally filed; a declaration verifying it as a true copy; and a combined Oath and Power of Attorney.

Respectfully submitted,

*Robert Benson*

Robert Benson  
Reg. No. 33,612



07/542149

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## SUBMISSION OF COPY OF PATENT APPLICATION UNDER 37 CFR 1.60

In re Application of Jerry M. Keith

Serial No.: 07/311,612

Filed: February 15, 1989

For: Pertussis Toxin Gene: Cloning and Expression of Protective Antigen

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

It is hereby declared by the undersigned that the attached is a true copy of his copy of the specification and claims of the above identified application; that he believes said file copy is a true copy of the original of said documents, said originals having been placed in the custody of and retained by the United States Patent and Trademark Office upon the filing of said application.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Robert Benson

*Robert Benson*  
Applicant's Agent  
Reg. No. 33,612Date: 6/20/90